

Appl. No. 09/785,722
Amdt. Dated November 7, 2005
Reply to Office Action of April 14, 2005

Docket No. CM04812H
Customer No. 22917

REMARKS/ARGUMENTS

This amendment is being concurrently filed with a Request for Examination (RCE). Applicants effectively withdraw their appeal with the RCE and this amendment. Applicants have amended Claims 1, 2, 7, 9, 13, 15, 16, 20, 22-24, 28, 30, 33, 36, 40, 42, 52, 68, 74, 79, 80, 82, 87, 93 and 94 and have cancelled Claims 49-51, 58 and 72. Claims 1-48, 52-57, 59-71, 73-91, 93 and 94 remain in this application. No new matter was added by these amendments. Reconsideration of this application is respectfully requested in view of the above amendments and these remarks/arguments.

The Examiner has rejected Claims 1-6, 8, 10-12, 14-19, 21-27, 29, 31, 32, 34-39 and 41 under 35 U.S.C. 102(e) as being anticipated by "Terrestrial Trunked Radio (TETRA) Voice Plus Data (V+D) Part 7: Security" (EN 300 392-7 V2.0.19, 2000-11), hereinafter referred to as TETRA-2000. The Examiner has further rejected Claims 7, 9, 13, 20, 28, 30, 33, and 40 under 35 U.S.C. 103(a) as being unpatentable over the TETRA-2000 reference. Applicants traverse these rejections. Applicants submit that the TETRA-2000 reference does not anticipate Claims 1-6, 8, 10-12, 14-19, 21-27, 29, 31, 32, 34-39 and 41 and does not render Claims 7, 9, 13, 20, 28, 30, 33, and 40 obvious because it fails to disclose, teach or suggest all of the elements recited in or included by dependency in these claims.

More specifically, Applicants have amended Claim 1 to include the limitations of "a base station that is located in a first pool of devices, wherein the first pool is associated with an intrakey used for encrypting key material that is distributed within the first pool" and "encrypting the derived cipher key using the intrakey." Applicants have amended Claim 23 to include the limitations of "wherein the base station is located in a first pool of devices, and the first pool is associated with an intrakey used for encrypting key material that is distributed within the first pool." Applicants have further amended Claims 16 and 36 to include the limitations of "receiving from the authentication agent a derived cipher key that is encrypted using an intrakey associated with the first pool and used for encrypting key material that is distributed within the first pool." The TETRA-2000 reference does not disclose, teach or suggest the above-quoted limitations.

For these reasons, Applicants submit that Claims 1, 16, 23 and 36 are now in a condition for allowance and that Claims 2-15, 17-22, 24-35 and 37-41, which depend respectively from

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Claims 1, 16, 23 and 36, are allowable for all of the same reasons associated with these independent claims.

The Examiner has rejected Claims 42, 68-69, 71-82, 87-91 and 93-94 under 35 U.S.C. 102(e) as being anticipated by Matsumoto (USPN 6,134,431), hereinafter referred to as Matsumoto. Applicants have cancelled Claim 72, thereby rendering moot the Examiner's rejection of this claim. Applicants traverse the remaining rejections. Applicants submit that Matsumoto does not anticipate Claims 42, 68-69, 71, 73-82, 87-91 and 93-94 because it fails to disclose all of the elements recited in or included by dependency in these claims.

More specifically, Applicants have amended Claim 42 to include the limitation of "an intrakey associated with the first zone for encrypting at least one of a part of the first zone session authentication information and additional key material for transport in real-time to another system device in the first zone, and an interkey for encrypting at least a segment of the first zone session authentication information for transport to a system device in a zone other than the first zone." Applicants have amended Claim 68 to include the limitations of "encrypting the session authentication information using an interkey that is shared by a set of at least two zones of devices for encrypting key material that is distributed to at least one zone in the set of zones." Applicants have further amended Claim 87 to include the limitations of "encrypt the session authentication information using an interkey that is shared by a set of at least two zones of devices for encrypting key material that is distributed to at least one zone in the set of zones." Matsumoto does not disclose any of the above-quoted limitations now recited in amended Claims 42, 68 and 87 and thereby fails to anticipate Claims 42, 68-69, 71, 73-82, 87-91 and 93-94. Therefore, Applicants submit that Claims 42, 68-69, 71, 73-82, 87-91 and 93-94 are now in a condition for allowance.

The Examiner has rejected Claims 42-65 and 67 under 35 U.S.C. 103(a) as being unpatentable over the TETRA-2000 reference in view of Matsumoto. Applicants have cancelled Claims 49-51, thereby rendering moot the Examiner's rejection of these claims. Applicants traverse the remaining rejections. Applicants submit that the combined teachings of the TETRA-2000 reference and Matsumoto do not render Claims 42-50, 52-65 and 67 obvious because the combined teachings fail to teach or suggest the limitations added to Claim 42 and included by dependency in Claims 43-48, 52-65 and 67 of "an intrakey associated with the first zone for encrypting at least one of a part of the first zone session authentication information and

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additional key material for transport in real-time to another system device in the first zone, and an interkey for encrypting at least a segment of the first zone session authentication information for transport to a system device in a zone other than the first zone." Therefore, Claims 42-50, 52-65 and 67 are now in a condition for allowance.

The Examiner has rejected Claim 70 under 35 U.S.C. 103(a) as being unpatentable over Matsumoto in view of Matyas (USPN 5,164,988), hereinafter referred to as Matyas. Applicants traverse this rejection. Applicants submit that the combined teachings of Matsumoto and Matyas do not render Claim 70 obvious because the combined teachings fail to teach or suggest all of the elements recited in or included by dependency in these claims. As argued above amended Claim 68, from which Claim 70 depends, recites the limitations of "encrypting the session authentication information using an interkey that is shared by a set of at least two zones of devices for encrypting key material that is distributed to at least one zone in the set of zones," which are not taught in Matsumoto nor in Matyas. Therefore Claim 70 is in a condition for allowance.

The Examiner has rejected Claim 66 under 35 U.S.C. 103(a) as being unpatentable over the TETRA-2000 reference in view of Matsumoto and in view of Matyas. Applicants traverse this rejection. Applicants submit that the combined teachings of the TETRA-2000 reference, Matsumoto and Matyas do not render Claim 66 because the combined teachings fail to teach or suggest all of the elements recited in or included by dependency in these claims. As argued above, amended claim 42, from which Claim 66 depends, recites the limitations of "an intrakey associated with the first zone for encrypting at least one of a part of the first zone session authentication information and additional key material for transport in real-time to another system device in the first zone, and an interkey for encrypting at least a segment of the first zone session authentication information for transport to a system device in a zone other than the first zone" which is not taught in either the TETRA-2000 reference or in Matsumoto, nor in Matyas. Therefore Claim 66 is in a condition for allowance.

The Examiner has rejected Claims 83 and 84 under 35 U.S.C. 103(a) as being unpatentable over Chan (USPN 6,128,389), hereinafter referred to as Chan, in view of Jobst (USPN 6,707,915 B1), hereinafter referred to as Jobst. Applicants traverse these rejections. Applicants submit that the combined teachings of Chan and Jobst do not render Claims 83 and

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84 obvious because the combined teachings fail to teach or suggest all of the elements recited in or included by dependency in these claims.

More specifically, Claim 83 recites the limitations of "wherein the home location register is arranged and constructed to continue to provide authentication and support secure communications in the event of a fault at any of the key management facility, user configuration server, and the zone manager." The Examiner contends the combination of a mobile phone identification (i.e., IMEI) and an MM IDENTITY REQUEST message taught in Jobst teaches these limitations. However, it is unclear how the examiner reaches this conclusion based solely on the language in col. 2, lines 28-33 of Jobst. Applicants submit that the IMEI is nothing more than a means to "uniquely identify the phone." With respect to the MM IDENTITY REQUEST message, Jobst states only that it may be given to "identify failures in the system (emphasis added)." Identifying a failure in a system is completely different from "continuing to provide authentication and support secure communications in the event of a fault" as recited in Claim 83.

For all of the above reasons, Applicants submit that Claim 83 and Claim 84, which depends from and includes all of the limitations of Claim 83, are in a condition for allowance.

The Examiner has rejected Claims 85 and 86 under 35 U.S.C. 103(a) as being unpatentable over Chan in view of Jobst and in view of the TETRA-2000 reference. Applicants traverse these rejections. Applicants submit that the combined teachings of Chan, Jobst and the TETRA-2000 reference do not render Claims 85 and 86 obvious because the combined teachings fail to teach or suggest all of the elements recited in or included by dependency in these claims. As argued above, Claim 83 from which Claims 85 and 86 depend recites the limitations of "wherein the home location register is arranged and constructed to continue to provide authentication and support secure communications in the event of a fault at any of the key management facility, user configuration server, and the zone manager," and neither Chan nor Jobst teaches these limitations. The TETRA-2000 reference also does not teach these limitations. Therefore, Claims 85 and 86 are in a condition for allowance.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated

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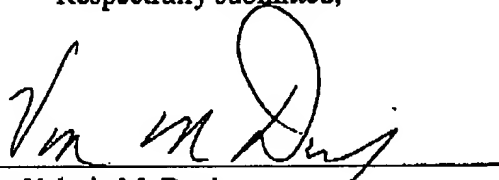
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below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, to Deposit Account No. 502117, Motorola, Inc.

Respectfully submitted,



By: Valerie M. Davis

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department
1303 E. Algonquin Road
Law Department
Schaumburg, IL 60196
Customer Number: 22917

Attorney of Record
Reg. No.: 50,203

Telephone: 847.576.6733
Fax No.: 847.576.0721